

Attorney Docket No. 06016/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Hiroshi SAWADA

Serial No. : 10/567,614

Filed : June 8, 2006

For : HYDRAULIC DRIVING CONTROL
DEVICE AND HYDRAULIC SHOVEL
WITH THE CONTROL DEVICE

Art Unit : 3745

Examiner : LESLIE, MICHAEL S.

Confirm. No.: 2022

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(d)
WITH STATEMENTS UNDER 37 CFR 1.97(e)(1) AND 1.704(d) WITH FEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a Japanese Office Action (and English translation thereof) dated August 26, 2008, issued in a counterpart Japanese application;
- (2) Copy of JP 2002-047965; and
- (3) IDS Form.

The USPTO fee of \$180.00 as set forth under 37 CFR 1.17(p) for filing an IDS at this stage of prosecution (after issuance of

This paper is being submitted via EFS-Web on September 4, 2008

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not already paid, authorization to charge the extension fee to Account No. 06-1378. In addition, authorization is hereby given to charge any fees for which payment has not been submitted, or to credit any overpayments, to Account No. 06-1378.

a Notice of Allowance) is being paid by credit card herewith. If any further fees are required, authorization is given to charge same against Account No. 06-1378.

An English translation of said Japanese Office Action is provided, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609.04(a) III).

An English language Abstract is provided for JP 2002-047965.

STATEMENT UNDER 37 CFR 1.97(e)(1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. (37 CFR 1.97(e)(1))

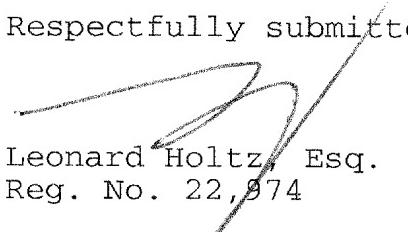
STATEMENT UNDER 37 C.F.R. 1.704(d)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in

37 CFR 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. (37 CFR 1.704(d))

It is requested that an initialed copy of the attached IDS Form be returned to indicate that JP 2002-047965 listed therein has been considered and made of record.

Respectfully submitted,


Leonard Holtzman Esq.
Reg. No. 22,874

Encls.

Dated: September 4, 2008

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